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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/523, 461 09/05/95 KAMATANI

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TRANEXAMINER

ESM1/0516

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KANAGAWA 229 JAPAN

2513

ART UNIT PAPER NUMBER
3

DATE MAILED: 05/16/96

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire Three month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice of Draftsman's Patent Drawing Review, PTO-848.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1-3 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. Claims _____ have been cancelled.
3. Claims _____ are allowed.
4. Claims 1-3 are rejected.
5. Claims _____ are objected to.
6. Claims _____ are subject to restriction or election requirement.
7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. Formal drawings are required in response to this Office action.
9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-848).
10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).
11. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).
12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.
13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. Other

EXAMINER'S ACTION

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Drawings

This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ashinuma et al.

Regarding claim 1, see figures 8-10 of Ashinuma et al. as an example which shows an optical device comprising: means (optical head 23) for performing a step of reading contents data (code information) in a read-in region (21a) of an optical disk (see figure 9) to identify a type of disk inherently including data layers and pit configuration standard of the optical disk; means (27) for settling modulation of servomechanism means (24) dependent upon the contents data (code information) read from the read-in region (21a), as recited in claim 1.

Regarding claims 3 and 4, also see figures 8-10 of Ashinuma et al. which shows an optical device comprising: means (optical head) for performing a step of reading contents data (code

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information) in a read-in region (21a) of an optical disk (see figure 9) to identify a type of disk inherently including data layer and pit configuration standard of the optical disk; means (27) for inherently performing the step of collating the contents data (code information) with an optical disk standard (E-DRAW, DRAW, and ROM) inherently stored therein in order to discriminate a type of disk; and means (27) also for performing a step of settling modulation of servomechanism (24) dependent upon the optical disk standard which corresponds with the total of contents data (discriminated type of disk), as recited in claims 3 and 4.

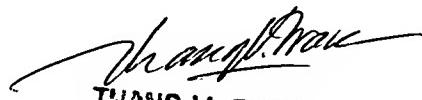
Cited References

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to an optical system having a device for determining a type of disk thereby to control a light source and a servo mechanism.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran, Thang whose telephone number is (703) 308-1551.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.


THANG V. TRAN
PATENT EXAMINER